

## CHAPTER 261

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**EDUCATION - PUBLIC SCHOOLS**

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**SENATE BILL 20-185**

BY SENATOR(S) Bridges and Tate, Coram, Donovan, Fields, Garcia, Lee, Lundeen, Priola, Rankin, Rodriguez, Todd, Williams A., Winter, Crowder, Danielson, Fenberg, Ginal, Gonzales, Hansen, Marble, Moreno, Pettersen, Story, Zenzinger; also REPRESENTATIVE(S) Tipper and Wilson, Arndt, Bird, Buckner, Buentello, Caraveo, Duran, Exum, Gray, Herod, Hooton, Jaquez Lewis, Kipp, Kraft-Tharp, Landgraf, Liston, Lontine, McCluskie, McKean, Melton, Michaelson Jenet, Mullica, Roberts, Sandridge, Singer, Titone, Valdez A., Valdez D., Weissman, Williams D., Young.

**AN ACT****CONCERNING THE CREATION OF THE COLORADO IMAGINATION LIBRARY PROGRAM.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Legislative declaration.** (1) The general assembly finds and declares that:

(a) A child's early years play a pivotal role in the child's literacy abilities. Literacy skills learned between birth and age 5 often predict literacy in later years. Children who struggle with literacy in kindergarten through third grade are unlikely to catch up to their peers, and the proficiency gap widens as students grow older.

(b) In 2019, the National Assessment of Educational Progress (NAEP) indicated that just 40% of Colorado students in fourth grade could read proficiently;

(c) NAEP results also demonstrate that Colorado has not made progress in improving literacy among historically underserved students. Similar to NAEP results in 1998, in 2019, Colorado's African American and Hispanic and Latino fourth graders saw average reading scores that were 24 and 27 points lower, respectively, than the average score of their Caucasian peers. Also similar to results in 1998, in 2019, Colorado children from low-income families saw an average reading score that was 30 points lower than higher income students.

(d) Access to printed reading materials is a key component in ensuring literacy among young children. Children with more exposure to printed reading materials excel in comprehension, technical reading, and spelling.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(e) Children in many of Colorado's small rural school districts on the eastern side of the state do not have access to a public library and therefore see zero per-student circulation of child reading materials through a library;

(f) Some larger rural school districts with larger percentages of children living in poverty and children of color have only one public library to serve their student populations and therefore see low circulation of reading materials; and

(g) Reading proficiently by the end of third grade is essential to mastering other academic subjects. Students who struggle with literacy are 4 times more likely to eventually drop out of school without earning their high school diploma.

(2) Therefore, the general assembly finds that it is imperative for children from birth to 5 years old have access to high-quality, age-appropriate books on a monthly basis at no cost to families.

**SECTION 2.** In Colorado Revised Statutes, **add 24-90-120** as follows:

**24-90-120. Colorado imagination library program - creation - request for proposal - state librarian duties - report - definitions.** (1) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COUNTY-BASED AFFILIATE PROGRAMS" MEANS A LOCAL AFFILIATE OF THE COLORADO IMAGINATION LIBRARY PROGRAM THAT OPERATES WITHIN A COUNTY OR CITY AND COUNTY.

(b) "ELIGIBLE CHILD" MEANS A CHILD FROM BIRTH TO THE CHILD'S FIFTH BIRTHDAY.

(c) "NATIONAL NONPROFIT FOUNDATION" MEANS A NATIONAL NONPROFIT FOUNDATION THAT EXISTS FOR THE SOLE PURPOSE OF WORKING WITH LOCAL ENTITIES TO IDENTIFY ELIGIBLE CHILDREN AND MAIL AGE-APPROPRIATE, HIGH-QUALITY BOOKS EACH MONTH TO THOSE CHILDREN AT NO COST TO FAMILIES.

(d) "PROGRAM" MEANS THE COLORADO IMAGINATION LIBRARY PROGRAM CREATED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE LIBRARIAN IN THE DEPARTMENT OF EDUCATION SHALL CONTRACT WITH A COLORADO NONPROFIT ORGANIZATION FOR THE CREATION AND OPERATION OF THE COLORADO IMAGINATION LIBRARY PROGRAM. THE CONTRACTOR SHALL:

(a) EXIST FOR THE SOLE PURPOSE OF CREATING AND OPERATING THE PROGRAM;

(b) MANAGE THE DAILY OPERATIONS OF THE PROGRAM, INCLUDING BUT NOT LIMITED TO ESTABLISHING COUNTY-BASED AFFILIATE PROGRAMS IN ALL COLORADO COUNTIES AND CITIES AND COUNTIES AND ADVANCING AND STRENGTHENING THE AFFILIATE PROGRAMS TO ENSURE ENROLLMENT GROWTH;

(c) DEVELOP, PROMOTE, AND COORDINATE A PUBLIC AWARENESS CAMPAIGN TO

MAKE DONORS AWARE OF THE OPPORTUNITY TO DONATE TO THE AFFILIATE PROGRAM AND MAKE THE PUBLIC AWARE OF THE OPPORTUNITY TO REGISTER ELIGIBLE CHILDREN TO RECEIVE BOOKS THROUGH THE PROGRAM; AND

(d) CONTRACT WITH A NATIONAL NONPROFIT FOUNDATION TO PROVIDE AGE-APPROPRIATE, HIGH-QUALITY BOOKS EACH MONTH TO ELIGIBLE CHILDREN AT NO COST TO FAMILIES.

(3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR BEFORE JULY 1 OF THE YEAR AFTER THE STATE LIBRARIAN ENTERS INTO A CONTRACT PURSUANT TO SUBSECTION (2) OF THIS SECTION, AND EACH JULY 1 THEREAFTER, THE CONTRACTOR SHALL SUBMIT A REPORT TO THE DEPARTMENT OF EDUCATION WHICH SHALL THEN SUBMIT THE REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE TOTAL NUMBER OF ELIGIBLE CHILDREN RESIDING IN EACH COUNTY OR CITY AND COUNTY IN COLORADO AND HOW MANY ELIGIBLE CHILDREN ARE ENROLLED IN THE PROGRAM IN EACH COUNTY OR CITY AND COUNTY.

(4) (a) THE CONTRACTOR, IN OPERATING THE PROGRAM PURSUANT TO SUBSECTION (2) OF THIS SECTION, SHALL PAY TO THE NATIONAL NONPROFIT FOUNDATION FIFTY PERCENT OF THE STATEWIDE COST TO PROVIDE BOOKS TO ELIGIBLE CHILDREN ENROLLED IN THE PROGRAM, AS DETERMINED BY THE NATIONAL NONPROFIT FOUNDATION.

(b) EACH COUNTY-BASED AFFILIATE PROGRAM SHALL PAY TO THE CONTRACTOR THE REMAINDER OF THE COST, AS DETERMINED BY THE NATIONAL NONPROFIT FOUNDATION, TO PROVIDE BOOKS TO THE ELIGIBLE CHILDREN ENROLLED IN THE COUNTY OR CITY AND COUNTY.

(5) THE DEPARTMENT OF EDUCATION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE IMPLEMENTATION OF THIS SECTION.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: July 10, 2020